



## NOTICE OF MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF BURNET, TEXAS

This notice is posted pursuant to the Texas Local Government Code, Chapter §551 – Open Meetings.

Notice is hereby given that the **Public Hearing and Regular Meeting of the Planning and Zoning Commission** of the City of Burnet, Texas will be held on Monday, **July 10, 2023** at **6:00 p.m.** at the City of Burnet's Council Chambers located at 2402 S Water St., Burnet, Texas 78611 at which time the following subjects will be discussed, to-wit:

**1. CALL TO ORDER:**

The meeting was called to order at 6:00 p.m. by Chairman Gaut.

**2. ROLL CALL:**

Members present: Tommy Gaut, Calib Williams, Glen Gates, Glean Teague

Members absent: Derek Fortin

Guests: Rebecca Webster, Dan Brouillette

Others present: Carly Pearson, Director of Public Works and Development Services, and Leslie Kimbler, Planning Manager

**3. CONSENT AGENDA ITEMS:** All the following items on the Consent Agenda are considered to be self-explanatory by the Commission and will be enacted with one motion. There will be no separate discussion of these items unless a Commission member, staff member or citizen requests removal of the item from the consent agenda for the purpose of discussion. For removal of an item, a request must be made to the Commission when the Consent Agenda is opened for Commission action.

- 3.1) Minutes of the meeting of the Planning and Zoning Commission of the City of Burnet, Texas held on June 5, 2023.

There being no objections, Chairman Gaut approved the minutes as presented.

**4. PUBLIC HEARINGS:**

- 4.1) Public Hearing and Consideration of the following: Zoning Amendments and Zoning Classifications presented by Carly Pearson, Director of Public Works and Development Services, and Leslie Kimbler, Planning Manager:

- (a) AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING CITY OF BURNET CODE OF ORDINANCES, CHAPTER 98 (ENTITLED "SUBDIVISIONS"), SECTION 98-7 (ENTITLED "DEFINITIONS"), BY AMENDING THE DEFINITION OF SIGNIFICANT TREE

- (1) Staff Presentation – C. Pearson
- (2) Public Hearing
- (3) Consideration and action.

Director, Carly Pearson, presented staff's report regarding the proposed ordinance amendment. Chairman Gaut opened the public hearing at 6:02 p.m. There being no one present to speak on the topic, Chairman Gaut closed the public hearing at 6:02 p.m. Commissioner Teague made a motion to approve the proposed ordinance



amendment. The motion was seconded by Commissioner Gates. The motion carried with a vote of 4 to 0.

- (b) AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING CITY OF BURNET CODE OF ORDINANCES, CHAPTER 118 (ENTITLED "ZONING"), ARTICLE II (ENTITLED "ZONING DISTRICTS"), BY REMOVING THE USE "MINI STORAGE WAREHOUSE AND STORAGE GARAGE" FROM MEDIUM COMMERCIAL – DISTRICT "C-2" AND AUTHORIZING THE USE MINI STORAGE WAREHOUSE AND STORAGE GARAGE IN THE LIGHT INDUSTRIAL – DISTRICT "I-1"

- (1) Staff Presentation – L. Kimbler
- (2) Public Hearing
- (3) Consideration and action.

Planning Manager, Leslie Kimbler, presented staff's report regarding the proposed ordinance amendment. Chairman Gaut opened the public hearing at 6:03 p.m. There being no one present to speak on the topic, Chairman Gaut closed the public hearing at 6:03 p.m. Commissioner Gates made a motion to approve the proposed zoning amendments. The motion was seconded by Commissioner Teague. The motion carried with a vote of 4 to 0.

- (c) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING THE PROPERTY LEGALLY DESCRIBED AS: BEING 26.085 ACRES, OUT OF EUGENIO PEREZ SURVEY NO. 41, ABS. NO. 672 WITH SINGLE-FAMILY RESIDENTIAL – DISTRICT "R-1-4" CLASSIFICATION; AND PROPERTY LEGALLY DESCRIBED AS: BEING 16.610 ACRES, OUT OF EUGENIO PEREZ SURVEY NO. 41, ABS. NO. 672 WITH SINGLE-FAMILY RESIDENTIAL – DISTRICT "R-1-2" CLASSIFICATION

- (1) Staff Presentation – L. Kimbler
- (2) Public Hearing
- (3) Consideration and action.

Planning Manager, Leslie Kimbler, presented staff's report regarding the proposed request for zoning change. Chairman Gaut opened the public hearing at 6:07 p.m. There being no one present to speak on the topic, Chairman Gaut closed the public hearing at 6:07 p.m. Commissioner Williams made a motion to approve the request for zoning change. The motion was seconded by Commissioner Gates. The motion carried with a vote of 4 to 0.

- (d) AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2012-09 AND THE OFFICIAL FUTURE LAND USE MAP OF THE CITY BY ASSIGNING THE PROPERTY LEGALLY DESCRIBED AS: ABS A0187 BB CASTLEBERRY, TRACT 76, 18.47 ACRES FROM ITS PRESENT DESIGNATION OF RESIDENTIAL TO A DESIGNATION OF GOVERNMENT; PROPERTY LEGALLY DESCRIBED AS: ABS A0187 BB CASTLEBERRY, TRACT 69, 6.06 ACRES FROM ITS PRESENT DESIGNATION OF OPEN SPACE TO A DESIGNATION OF





GOVERNMENT; PROPERTY LEGALLY DESCRIBED AS: ABS A0187 BB CASTLEBERRY, 4.5 ACRES FROM ITS PRESENT DESIGNATION OF OPEN SPACE TO A DESIGNATION OF GOVERNMENT; AND PROPERTY KNOWN AS THE BURNET CEMETERY, OLD BURNET CEMETERY AND IOOF CEMETERY FROM ITS PRESENT DESIGNATION OF OPEN SPACE TO A DESIGNATION OF GOVERNMENT

- (1) Staff Presentation – L. Kimbler
- (2) Public Hearing
- (3) Consideration and action.

Planning Manager, Leslie Kimbler, presented staff's report regarding the proposed request for Future Land Use amendment. Chairman Gaut opened the public hearing at 6:11 p.m. There being no one present to speak on the topic, Chairman Gaut closed the public hearing at 6:11 p.m. Commissioner Teague made a motion to approve the proposed request for Future Land Use amendment. The motion was seconded by Commissioner Gates. The motion carried with a vote of 4 to 0.

- (e) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING THE PROPERTY LEGALLY DESCRIBED AS: ABS A0187 BB CASTLEBERRY, TRACT 76, 18.47 ACRES WITH GOVERNMENT – DISTRICT "G" CLASSIFICATION; PROPERTY LEGALLY DESCRIBED AS: PROPERTY LEGALLY DESCRIBED AS: ABS A0187 BB CASTLEBERRY, TRACT 76, 18.47 ACRES WITH GOVERNMENT – DISTRICT "G" CLASSIFICATION; PROPERTY LEGALLY DESCRIBED AS: PROPERTY LEGALLY DESCRIBED AS: ABS A0187 BB CASTLEBERRY, 4.5 ACRES WITH GOVERNMENT – DISTRICT "G" CLASSIFICATION; PROPERTY KNOWN AS THE BURNET CEMETERY, OLD BURNET CEMETERY AND IOOF CEMETERY AS IDENTIFIED ON THE CITY OF BURNET PLAT ACCEPTED BY ORDINANCE NO. 320 WITH GOVERNMENT – DISTRICT "G" CLASSIFICATION

- (1) Staff Presentation – L. Kimbler
- (2) Public Hearing
- (3) Consideration and action.

Planning Manager, Leslie Kimbler, presented staff's report regarding the proposed request for zoning change. Chairman Gaut opened the public hearing at 6:14 p.m. There being no one present to speak on the topic, Chairman Gaut closed the public hearing at 6:14 p.m. Commissioner Gates made a motion to approve the proposed request for zoning change. The motion was seconded by Commissioner Williams. The motion carried with a vote of 4 to 0.

- (f) AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2012-09 AND THE OFFICIAL FUTURE LAND USE MAP OF THE CITY BY ASSIGNING THE PROPERTY LOCATED AT 1811 E POLK STREET (LEGALLY DESCRIBED AS: ABS A1525 SARAH ANN GUEST, 20.82 ACRES) FROM ITS PRESENT DESIGNATION OF INDUSTRIAL TO A DESIGNATION OF RESIDENTIAL; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE



- (1) Staff Presentation – L. Kimbler
- (2) Public Hearing
- (3) Consideration and action.

Planning Manager, Leslie Kimbler, presented staff's report regarding the proposed request for FLUM amendment. Chairman Gaut opened the public hearing at 6:16 p.m. There being no one present to speak on the topic, Chairman Gaut closed the public hearing at 6:16 p.m. Commissioner Teague made a motion to approve the proposed request for FLUM amendment. The motion was seconded by Commissioner Gates. The motion carried with a vote of 4 to 0.

- (g) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING THE PROPERTY KNOWN AS: 1811 E POLK STREET (LEGALLY DESCRIBED AS: ABS A1525 SARAH ANN GUEST, 20.82 ACRES) WITH SINGLE-FAMILY RESIDENTIAL – DISTRICT "R-1" CLASSIFICATION

- (1) Staff Presentation – L. Kimbler
- (2) Public Hearing
- (3) Consideration and action.

Planning Manager, Leslie Kimbler, presented staff's report regarding the proposed request for zoning change. Chairman Gaut opened the public hearing at 6:18 p.m. There being no one present to speak on the topic, Chairman Gaut closed the public hearing at 6:18 p.m. Commissioner Teague made a motion to approve the proposed request for zoning change. The motion was seconded by Commissioner Gates. The motion carried with a vote of 4 to 0.

- 4.2) The Planning & Zoning Commission shall conduct a public hearing to receive public testimony and comments on the merits of a proposed "Preliminary Plat" for approximately 76.06 acres out of John Hamilton Survey Abs. No. 405. The proposed "Preliminary Plat" will establish Hilltop Oaks Subdivision, consisting of 92 residential lots: L. Kimbler

Planning Manager, Leslie Kimbler, presented staff's report regarding the proposed Hilltop Oaks Subdivision Preliminary Plat. Chairman Gaut opened the public hearing at 7:19 p.m. There being no one present to speak on the topic, Chairman Gaut closed the public hearing at 6:19 p.m.

- 4.3) The Planning & Zoning Commission shall conduct a public hearing to receive public testimony and comments on the merits of a proposed "Re-plat" for approximately 10.686 acres. The proposed plat will establish lots 17-A, 19-A, 21-B and 22-B of Highland Acres East, Section No. Four, and Lots 1-A and 2-A out of John Hamilton Survey No. 1, Abs. No. 405, consisting of 6 residential lots: L. Kimbler

Planning Manager, Leslie Kimbler presented staff's report regarding the proposed re-plat. Chairman Gaut opened the public hearing at 6:23 p.m. There being no one present to speak on the topic, Chairman Gaut closed the public hearing at 6:23 p.m.

## 5. ACTION ITEMS:





- 5.1) Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING VARIANCES TO THE CODE OF ORDINANCES, SECTION 98-48 – BLOCKS AND LOTS FOR THE PROPOSED PRELIMINARY PLAT OF HILLTOP OAKS SUBDIVISION: L. Kimbler

Commissioner Teague made a motion to approve the variances to Hilltop Oaks Subdivision Preliminary Plat. The motion was seconded by Commissioner Gates. The motion carried with a vote of 4 to 0.

- 5.2) Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING THE "PRELIMINARY PLAT" OF HILLTOP OAKS SUBDIVISION, A PROPOSED 92-LOT RESIDENTIAL SUBDIVISION CONSISTING OF APPROXIMATELY 76.06 ACRES: L. Kimbler

Commissioner Gates made a motion to approve the proposed Hilltop Oaks Subdivision Preliminary Plat. The motion was seconded by Commissioner Teague. The motion carried with a vote of 4 to 0.

- 5.3) Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING THE "REPLAT" OF lots 17-A, 19-A, 21-B AND 22-B OF HIGHLAND ACRES EAST, SECTION NO. FOUR, AND LOTS 1-A AND 2-A OUT OF JOHN HAMILTON SURVEY NO. 1, ABS. NO. 405, A PROPOSED 6-LOT RESIDENTIAL SUBDIVISION CONSISTING OF APPROXIMATELY 10.686 ACRES: L. Kimbler

Commissioner Williams made a motion to approve the proposed "Re-plat" establishing lots 17-A, 19-A, 21-B and 22-B of Highland Acres East, Section No. Four, and Lots 1-A and 2-A out of John Hamilton Survey No. 1, Abs. No. 405. The motion was seconded by Commissioner Gates. The motion carried with a vote of 4 to 0.

## **6. STAFF REPORTS:**

## **7. REQUESTS FOR FUTURE AGENDA ITEMS:**

## **ADJOURN:**

There being no further business, Chairman Gaut adjourned the meeting at 6:29 p.m.

  
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Tommy Gaut, Chair  
City of Burnet Planning and Zoning Commission

  
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Attest:  
Herve Derek Fortin, Secretary

